

Appl. No.: 09/656,678  
Filed: September 7, 2000  
Page 9

### **REMARKS/ARGUMENTS**

In view of the following remarks, reexamination and reconsideration of this application, withdrawal of the rejections, and formal notification of the allowability of all claims as presented are earnestly solicited in light of the remarks that follow. Claims 1-10 are pending and, as indicated in the Office Action, Claims 1-10 have been rejected. Claim 1 is an independent claim directed to a method, implemented over a computer network, of collaboratively identifying, prioritizing, and resolving issues affecting a series or plurality of similar complex systems administered by an originating entity, while Claim 5 is an independent claim directed to an associated system capable of implementing such a method. Claims 1 and 5 have been amended and Claims 11-17 have been added, wherein Claim 11 is an independent claim is also directed to a method, implemented over a computer network, of collaboratively identifying, prioritizing, and resolving issues affecting a series or plurality of similar complex systems administered by an originating entity

#### **Claim Rejections – 35 U.S.C. § 102**

Claims 1-3 and 5-7 were rejected in the Office Action as being anticipated by U.S. Patent No. 6,177,932 to Galdes *et al.* In response, Claims 1, upon which Claims 2 and 3 depend, and Claim 5, upon which Claims 6 and 7 depend, have been amended and Claims 11-17 have been added. The amendments to Claims 1 and 5, and new Claims 11-17, find support throughout the Specification and the Figures and, as such, no new matter has been added.

The Galdes '932 reference is directed to a method and apparatus for network-based customer service. More particularly, in response to a client requesting help, a menu including three levels of interaction is displayed. One level of interaction is self-help searching in a database of information in order for the client to research and resolve their own issue. A second level of interaction is asynchronous help, comprising providing the customer's help issue to an advisor, along with past locations/actions and customer history, wherein the advisor then researches the issue and returns a resolution to the issue. If the client selects synchronous help, the method includes the steps of alerting the advisor and displaying to the advisor a list of sites

Appl. No.: 09/656,678  
Filed: September 7, 2000  
Page 10

previously visited by the client, such that the advisor sees a display identical to that seen by the client. The advisor then determines if a resolution to the client's issue exists and posts the issue to the client collaboration window.

As described in the Galdes '932 reference, the customer is queried by the system to determine the customer's required priority of response to the customer's help request. That is, the customer determines the priority of the issue. If the customer chooses a low priority, the customer is directed to the self-help lookup. If a medium priority is designated, the customer is directed to the asynchronous collaboration where the customer may submit their issue to an advisor, an artificial intelligence system, or another customer. If the customer indicates a high priority, the synchronous collaboration is initiated, whereby the customer is provided with a first available advisor who may have particular expertise in the area in which the customer is seeking the help.

In contrast, the present invention, as particularly claimed, is directed to a system and method for collaboratively identifying, prioritizing, and resolving issues. That is, an issue and/or a comment can be posted by a customer and/or an originating entity, such as a manufacturer, on a discussion-capable electronic media accessible over a computer network. The discussion-capable electronic media is accessible by the customer, the originating entity, and a committee, wherein the committee is required to be comprised of a customer representative and an originating entity representative. The committee separates the issues into rejected issues and action issues, based at least partially on the posted comments in the discussion of the issues on the electronic media.

The committee thereafter prioritizes the action issues and assigns each action issue to the customer and/or the originating entity. The committee then sends the assigned action issue, along with a set of resolution directions for that action issue, to the customer and/or the originating entity. The resolution directions may include at least one issue-closure criteria to be met by the resolution proposal for the respective action issue. The customer and/or the originating entity is thereby assigned responsibility for that action issue and is charged with investigating the assigned action issue, preparing a resolution proposal for the assigned action issue, and returning the resolution proposal to the committee. The committee then directs the

NTA01/2147360v1

Appl. No.: 09/656,678  
Filed: September 7, 2000  
Page 11

implementation of the resolution proposal for the respective action issue, after evaluating the resolution proposal to determine if the resolution directions have been followed and the issue-closure criteria has been met. Once the implementation of the resolution proposal for an action issue is completed, the committee directs closure of the corresponding action issue.

Accordingly, such a system, as now particularly claimed in Claim 5, and associated methods, as now particularly claimed in Claims 1 and 11, provide a collaborative approach to issue resolution between customers and originating entities that is administered by a committee comprised of a customer representative and an originating entity representative. Such a system and associated methods are neither taught nor suggested by the Galdes '932 reference. Thus, the Applicant submits that, in view of these differences between the Galdes '932 reference and the Applicant's invention as claimed in Claims 1-17, the Applicant's invention is not anticipated by Galdes '932 reference and is therefore patentable over the Galdes '932 reference.

#### **Claim Rejections – 35 U.S.C. § 103**


Claims 4 and 8-10 were rejected in the Office Action as being obvious over the Galdes '932 reference in view of an M2 Presswire Report dated August 14, 2000 regarding Enigma, Inc. As previously discussed, amended Claim 1, upon which Claim 4 depends, amended Claim 5, upon which Claims 8-10 depend either directly or indirectly, and new Claims 11-17 are not anticipated by the Galdes '932 reference. Thus, the Applicant submits that the present invention is patentable over the Galdes '932 reference and the 8-14-2000 M2 Presswire Report.

In conclusion, for the reasons set forth above, the Applicant submits that all claims now pending are in condition for immediate allowance. Accordingly, notice to such effect is respectfully requested at the Examiner's earliest opportunity.

Appl. No.: 09/656,678  
Filed: September 7, 2000  
Page 12

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

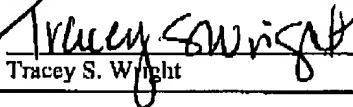


Kevin R. Lyn  
Registration No. 42,818

Customer No. 00826  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (703) 872-9306 on the date shown below.

  
Tracey S. Wright

12/19/03  
Date